

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

HEINZ FOCKE et al

Appln. No.: 10/804,229

Group Art Unit: 3721

Confirmation No.: 6072

Examiner: Charles R. KASENGE

Filed: March 19, 2004

For: PRODUCTION AND/OR PACKAGING INSTALLATION, AND METHOD OF  
OPERATING THE SAME

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO/SB/08 A & B (modified) and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of the cited EP 614 814 reference is attached. In accordance with 37 C.F.R. § 1.98(a)(2)(i), the undersigned is not submitting a copy of the new cited U.S. 4,865,179.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore Applicant is filing

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concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 CFR §1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a counterpart European Search Report citing such documents, together with an English-language version of that portion of the Search Report indicating the degree of relevance found by the European Patent Office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

/John H. Mion/

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